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I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail to be addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Joe W. Gray et al.

Group: 180

Serial No.: 07/670,242

Group Art Unit: 1807

Filed : March 15, 1991

Examiner: A. Marschel

For : Chromosome-Specific Staining  
to Detect Genetic Rearrangements

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR SECTIONS 1.56, 1.97 AND 1.98

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

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GROUP 180

Sir:

The accompanying PTO Form 1449 is submitted pursuant to 37 CFR Sections 1.56, 1.97 and 1.98, directing Applicants to submit literature and information that may be considered material to the examination of the claims of an application. In accordance with 37 CFR Section 1.98(d), not provided herewith are copies of the references listed on the enclosed PTO Form 1449 which were previously cited by the Examiner or submitted to the Examiner in the following U.S. Serial Numbers (USSNs) either upon which the instant application relies for priority under 35 USC 120 or which is a continuation of an application upon which the instant application relies for priority: 07/627,707 filed December 14, 1990 (now pending) which is a continuation of USSN 06/937,793 (now abandoned) filed December 4, 1986; USSN

07/862,060 filed April 2, 1992 (now pending) which is a continuation of USSN 07/444,669 filed December 1, 1989 (now abandoned); USSN 07/497,098 filed March 20, 1990 (now pending); USSN 07/537,305 filed June 12, 1990 (now pending); and USSN 07/659,974 filed February 22, 1991 (now pending). Further, in accordance with 37 CFR Section 1.98(a)(2)(iii), no copies of any cited U.S. patent applications are included.

Applicants respectfully point out that the "filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in Section 1.56(b)" [37 CFR Section 1.97(h)]; and that an information disclosure statement filed in accordance with 37 CFR Section 1.97 "shall not be construed as a representation that a search has been made." [37 CFR Section 1.97(g)]

Further identification of any document herein is not intended to be, and, Applicants respectfully submit, should not be construed as being, an admission that such a document, in fact, constitutes "prior art" within the meaning of the applicable laws, since, for example, a given document may have a later effective date than at first seems apparent, or the document may have an effective date which can be antedated. For example, no publication dates, if any, have been established for the abstracts with UCRL numbers cited at the end of the attached PTO Form 1449. Those abstracts had been prepared for submission to external meetings and were subjected to internal review at the Lawrence Livermore National Laboratory (LLNL). The LLNL

Technical Information Department (TID) that provides editorial review of manuscripts and abstracts assigned the abstracts the cited UCRL numbers as part of the department's record keeping. TID does not have records of whether any of the abstracts were actually published or not. Applicants respectfully conclude on this point that the "prior art" status of any document is a matter to be resolved during prosecution.

Thus, Applicants respectfully conclude that the citation of references herein is not intended to be an admission that any of the references are considered to be material or to constitute prior art, or that any of the references either alone or in combination with any other references would be sufficient to render any of the claims of the above-identified patent application unpatentable.

Respectfully submitted,



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Dated: August 13, 1992